



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/286,480  | 04/05/1999  | YOSUKE SUZUKI        | 450100-4842         | 5049             |
| 20999   | 7590        | 01/12/2005           | EXAMINER            |                  |
| FROMMER LAWRENCE & HAUG<br>745 FIFTH AVENUE- 10TH FL.<br>NEW YORK, NY 10151 |             |                      | NGUYEN, LE V        |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2174                |                  |

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                      |  |
|------------------------------|--------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/286,480 | <b>Applicant(s)</b><br>SUZUKI ET AL. |  |
|                              | <b>Examiner</b><br>Le Nguyen         | <b>Art Unit</b><br>2174              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2004.
- 2a) ☒ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This communication is responsive to an amendment filed 9/17/04.
2. Claims 1-13 are pending in this application. Claims 1, 6 and 10 are independent claims; and, claims 1, 6 and 10 have been amended.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 103***

4. Claims 1 – 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Using Netscape 2* by Mark R. Brown (c) 1995 in view of Klemets, and further in view of Kelly et al. ("Kelly").

As per claim 1, applicant cites, "a character-information detecting means for detecting character information recorded in an information control area of said recording medium and reproduced by said playback means" in claim 1. *Using Netscape 2* teaches storing audio files that can be reproduced by a play back means (p. 10). The technology taught by Netscape is a type of detecting means for detecting character information recorded in an information control area of said recording medium and reproduced by said playback means. The web address, written in character form, is recorded in an information control area of a recording medium. This memory area on which this web address is stored is a recording medium. The web page, which it addresses, is a playback means associated with the address. Netscape suggests,

Art Unit: 2174

teaches, or discloses, "a character-information detecting means for detecting character information recorded in an information control area of said recording medium and reproduced by said playback means" as cited by the Applicant. Netscape teaches a character-string in the form of character-string searching means for searching character information detected by said character-information detecting means for a string of characters representing address information. The web address box taught by Netscape demonstrates character string searching (*Using Netscape 2*, p. 438, fig. 17.3). The box also detects addresses (*Using Netscape 2*, p. 438, fig. 17.3). If the user enters a string that does not represent a valid address, an error would be displayed on the computer display. *Using Netscape 2* teaches, "an address-information generating means for generating address information means," as cited by claim 1 (*Using Netscape 2*, p. 438, fig. 17.3). The web page demonstrates an address-information generating means for generating address information. Once the address is entered into the address input box, a searching means is activated. *Using Netscape 2* teaches "an apparatus for processing a playback signal," as cited by claim 1 (*Using Netscape 2*, p. 438, fig. 17.3). The method for downloading audio data (p. 438) requires a software and hardware forming apparatus that handles some type of playback signal being disseminated from readable medium. *Using Netscape 2* suggests or teaches providing play back hardware (p. 438). Information including programs and character information associated with said programs is the text button for accessing texts associated with audio data. The information associated with this audio source can be considered originating from a "remote source". Since the claim language fails to define the remoteness of the said

Art Unit: 2174

"remote source", this said "remote source" could be any subcomponent within the system distinct from the actual input or output device accessible to the user. Further, a reference to the Internet inherently teaches accessing a remote data source. *Using Netscape 2* teaches storing information for a string of characters representing address information representing either a URL used to obtain program information associated with said programs or an electronic mail address (p. 438, fig. 17.3). When the user selects the URL, a search of the Internet takes place that involves the matching of the character data listed with character based URLs available on the Internet.

Netscape fails to teach reproducing information on a rotatable recording medium accessible by browser. Klemets teaches reproducing information on a rotatable recording medium accessible by browser (col. 5, lines 4 – 15). The disk drive taught by Klemets is a rotatable recording medium accessible by a browser. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the rotatable, recordable medium taught by Klemets with the web browser taught by Netscape. Doing so enables the user to store and retrieve video data.

However, the combined teachings of Klemets and *Using Netscape 2* still does not explicitly disclose an apparatus for processing a playback signal comprising means for displaying the URL or electronic mail address (email) and means for communicating with the URL or electronic mail address wherein the searching means searches sub-code information in a sub-code area of the recording medium for the character information. Kelly teaches an apparatus for processing a playback signal comprising means for displaying the URL and means for communicating with the URL wherein the

Art Unit: 2174

searching means searches sub-code information in a sub-code area of the recording medium for the character information (Abstract; figs. 1 and 6-8; col. 4, lines 30-60; col. 5, line 42 through col. 6, line 6; col. 7, lines 53-61; col. 9, lines 5-32 and lines 56-60; *searching means searches sub-code information in a sub-code area of the recording medium of fig. 1 for the character information*). Therefore, it would have been obvious to an artisan at the time of the invention to include Kelly's apparatus for processing a playback signal comprising means for displaying the URL and means for communicating with the URL wherein the searching means searches sub-code information in a sub-code area of the recording medium for the character information to Klemets and *Using Netscape 2*'s apparatus for processing a playback signal comprising means for searching address information representing the URL used to obtain information associated with the programs and the electronic mail address (email) in order to provides users with a recording medium with increased functional aspects, i.e. providing audio, video, application and browsing functions within the same media.

As per claim 2, the modified *Using Netscape 2* teaches an address box for displaying a human readable address (*Using Netscape 2*: p. 162; fig. 7.14). This address is "a display means [for displaying] said address information in a format different from formats of other character information" as cited by the Applicant. *Using Netscape 2* demonstrates the display of "a display means [for displaying] said address information in a format different from formats of other character information" as cited by the Applicant (*Using Netscape 2*: p. 162, fig. 7.14). The character-based information located outside the address box is associated with the web page. The use of various

Art Unit: 2174

fonts, which differ from the web address, demonstrates the use of different types of formats for displaying character information.

As per claim 3, the modified *Using Netscape 2* teaches an apparatus for processing a playback signal wherein the display means displays indicating information of whether the character information includes the address information (*Using Netscape 2*: p. 438, fig. 17.3; Kelly: figs. 6-8; col. 4, lines 30-60; col. 5, line 42 through col. 6, line 6; *depicted are screen displays showing the icon-based system wherein a browser provides the user with a navigation tool for accessing various areas on the Internet as well as on the recording medium with indicating information in the form of icons, i.e. users browse the Internet and CD applications via a screen-based icon choice*).

As per claim 4, the modified *Using Netscape 2* teaches an apparatus for processing a playback signal wherein the displayed indicating information is an icon (*Using Netscape 2*: p. 151, fig. 7.3; Kelly: figs. 6-8; col. 4, lines 30-60; col. 5, line 42 through col. 6, line 6; *indicating information in the form of icons*).

As per claim 5, the modified *Using Netscape 2* teaches an apparatus for processing a playback signal comprising activating means for activating software associated with the address information (Kelly: figs. 6-8; col. 4, lines 30-60; col. 5, line 42 through col. 6, line 6).

Claims 6 and 10 are individually similar in scope to claim 3 and are therefore reject under similar rationale.

Claims 7 and 11 are individually similar in scope to claim 4 and are therefore reject under similar rationale.

Claims 8 and 13 are individually similar in scope to claim 5 and are therefore reject under similar rationale.

As per claim 9, the modified *Using Netscape 2* teaches an apparatus for processing a playback signal wherein the recording medium comprises a plurality of tracks and the display means displays the indicating information for each of the respective tracks (Kelly: figs. 6-8; col. 4, lines 30-60; col. 5, line 42 through col. 6, line 6; *users may access digital audio tracks and the selections contained therein by an interface such as the one depicted in fig. 6*).

Claim 12 is similar in scope to claim 2 and is therefore reject under similar rationale.

### ***Response to Arguments***

5. Applicant's arguments filed 9/17/2004 have been fully considered but they are not persuasive.

Applicant argued the following:

(a) None of the relied upon portions of the Netscape reference, teach or suggest searching sub-code information in a sub-code area of the recording medium for the character information.

(b) Netscape does not teach the searching means recited in claim 1. Moreover, Netscape's method of inputting a complete URL by a user into a web address box is not searching.

The examiner disagrees for the following reasons:



Per (a), Kelly teaches the amended claim limitation of searching sub-code information in a sub-code area of the recording medium for the character information (Abstract; figs. 1 and 6-8; col. 4, lines 30-60; col. 5, line 42 through col. 6, line 6; col. 7, lines 53-61; col. 9, lines 5-32 and lines 56-60).

Per (b), Netscape's teaching of the searching means as recited in claim 1 is consistent with the claim language, i.e. a means for detecting and searching the character information recorded in an area of the recording medium and reproduced by the playback means for address information representing the one of the URL used to obtain information associated with the programs (*; wherein upon input of a URL, the browser searches for the location of the URL/Internet resource for display*).

### **Conclusion**

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2174

***Inquires***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê Nguyen whose telephone number is **(571) 272-4068**. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306 [Official Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LVN  
Patent Examiner  
January 8, 2005

*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100